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Counsel for Defendant HARTMAN

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

RICHARD HARTMAN,

Defendant.

Case No.: CR 20–126 VC

**STIPULATION AND [PROPOSED]
ORDER TO CONTINUE STATUS
HEARING TO SEPTEMBER 22,
2020, AND TO EXCLUDE TIME**

DENIED

Hearing Date: Aug. 11, 2020

The above-captioned matter is set on August 11, 2020, at 10:30 a.m., before this Honorable Court for a status hearing. The parties jointly request that the Court continue this matter to September 22, 2020, and that the Court exclude time under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A) and (B)(iv), between August 11, 2020 and September 22, 2020.

Richard Hartman is charged with the possession of child pornography. He made his initial appearance on February 28, 2020, and the magistrate court ordered him released from custody on March 5, 2020. The government prepared the discovery for production on May 15, 2020, but due to an issue with the carrier, defense counsel did not receive that discovery until June 3, 2020. Defense counsel is still reviewing the discovery with her client and will need to conduct an evidence view to

1 confirm the sentencing guidelines in the government's proposed plea offer. In addition, counsel may
 2 need to request digital forensic reports of the devices recovered to confirm the factual basis for a
 3 change of plea hearing. For these reasons, the parties respectfully request that the Court continue this
 4 case from August 11, 2020 until September 22, 2020.

5 In addition, the parties stipulate and agree that the ends of justice served by this continuance
 6 outweigh the best interest of the public and the defendant in a speedy trial. The parties further agree
 7 that the failure to grant this continuance would unreasonably deny counsel for Mr. Hartman the
 8 reasonable time necessary for effective preparation, taking into account the exercise of due diligence.
 9 Accordingly, the parties agree that the period of time between August 11, 2020 through September 22,
 10 2020, should be excluded in accordance with the provisions of the Speedy Trial Act, 18 U.S.C. §§
 11 3161(h)(7)(A) and (B)(iv), for effective preparation of defense counsel, taking into account the
 12 exercise of due diligence.

13
 14 IT IS SO STIPULATED.

15
 16 Dated: August 7, 2020

17 STEVEN G. KALAR
 18 Federal Public Defender
 Northern District of California

19 /S/

20 ANGELA M. HANSEN
 Assistant Federal Public Defender

21
 22 Dated: August 7, 2020

23 DAVID L. ANDERSON
 24 United States Attorney
 Northern District of California

25 /S/

26 MOLLY SMOLEN
 Assistant United States Attorney

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**[PROPOSED] ORDER TO CONTINUE
STATUS HEARING TO SEPTEMBER 22,
2020, AND TO EXCLUDE TIME**

DENIED

Based on the reasons provided in the stipulation of the parties above, and for good cause shown, the Court hereby ORDERS that the status hearing date of August 11, 2020, is vacated and reset for a status hearing on September 22, 2020, at 10:30 a.m.

It is FURTHER ORDERED that the time is excluded, pursuant to the Speedy Trial Act, 18 U.S.C. §§ 3161(h)(7)(A) and (B)(iv), from August 11, 2020 through September 22, 2020.

IT IS SO ORDERED.

Dated: August 10, 2020

The request to continue the hearing is denied.
Defense counsel is required to provide the
Zoom access information to the defendant
for tomorrow's hearing.

